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PATENT
Attorney Docket No.: 18941H-002911US
Client Ref. No.: B98-006-3

TOWNSEND and TOWNSEND and CREW LLP

By: _____
Anne Kundel

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GOODMAN et al.

Application No.: 10/826,812

Filed: April 16, 2004

For: ROBO: A NOVEL FAMILY OF
POLYPEPTIDES AND NUCLEIC
ACIDS

Customer No.: 20350

Confirmation No. 1573

Examiner: Olga N. Chernyshev, Ph.D.

Technology Center/Art Unit: 1649

DECLARATION UNDER 37 C.F.R. §
1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

We, Corey S. Goodman, Thomas Kidd, Kevin J. Mitchell, and Guy Tear were at the time of the invention employed by the Regents of the University of California, the assignee of the above-referenced patent application.

We are the co-inventors of the subject matter described and claimed therein.

We obtained the sequence of the extracellular domain, including amino acid residues 68-167, of human Robo-1 prior to April 18, 1997. Attached Exhibits A and B provide evidence of the conception of the invention and its reduction to practice. This work was done by us, or under our supervision.

Exhibit A shows the amino acid sequence of human Robo-1 that we had obtained before April 18, 1997. Exhibit A is a print out of a Microsoft Word file that was electronically archived and last modified before April 18, 1997. Exhibit B shows the contents of the compact disk that contains the file. The dates in the "Date Modified" column have been redacted. Exhibit A is a print out of the highlighted file "H-robo pep.word". This sequence includes the

extracellular domain (five immunoglobulin domains and three fibronectin domains). Amino acids 68-167 of H-Robo1 pep are the first immunoglobulin domain and correspond to amino acids 68-167 of SEQ ID NO:8 in the application.

In view of the foregoing, we respectfully submit that the evidence provided in this Declaration unequivocally establishes that the basic inventive concept of the claimed invention was conceived of and reduced to practice in this country prior to April 18, 1997.

We further declare that all statements made herein of our knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: _____

Corey S. Goodman

Dated: _____

Thomas Kidd

Dated: ____ 5th December 2007 ____



Kevin J. Mitchell

Dated: _____

Guy Tear